

UNITED STATES DISTRICT COURT
DISTRICT OF OREGON
PORTLAND DIVISION

THOMAS M. BELL,

Plaintiff,

v.

LAVOR BURTON and PARAMOUNT
PICTURE,

Defendants.

Case No. 3:13-cv-1951-ST

OPINION AND ORDER

On November 4, 2013, plaintiff, Thomas M. Bell ("Bell"), appearing *pro se*, filed a handwritten Complaint which is nearly illegible but refers to lost or damaged dental crowns and the need for replacement or a total implant. On December 3, 2013, this court issued an Order (docket #9) dismissing Bell's Complaint for lack of personal and subject matter jurisdiction, failure to comply with FRCP 8(a), and failure to state a claim upon which relief may be granted. Due to Bell's *pro se* status, the Order advised him of the Complaint's deficiencies and granted him leave to file an amended complaint.

On December 13, 2013, Bell filed an Amended Complaint (docket #11) which is handwritten on a piece of lined notebook paper and includes even less information than the original Complaint. It entirely fails to legibly state a factual or legal allegation, but states only

that “Person or Employee was Negligent for Mishap and Mischief.” Such an allegation, if construed correctly, is no “more than an unadorned, the-defendant-unlawfully-harmed-me accusation,” which fails to state a claim on which relief can be granted. *Ashcroft v. Iqbal*, 556 US 662, 678 (2009), quoting *Bell Atlantic Corp. v. Trambly*, 550 US 554, 555 (2007).

The Amended Complaint fails to contain any the information ordered by the Court, namely: (1) the specific statute or constitutional provision that defendants have allegedly violated; (2) the specific conduct by each defendant that is allegedly unconstitutional or otherwise in violation of his rights; and (3) the dates on which the conduct allegedly took place. Thus, Bell’s Amended Complaint fails state a basis for jurisdiction, to comply with FRCP 8(a), and to state a claim upon which relief may be granted. Given that this court has already given Bell an opportunity to cure the deficiencies in his Complaint and he has failed to do so, this case is dismissed without prejudice.

DATED this 15 day of January, 2014.



Malcolm F. Marsh
United States District Judge